

DETAILED ACTION

Title

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Specification

The disclosure is objected to because of the following informalities: on page 9, line 5 “interface e by” the letter e should be omitted.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. After the templates are compared the concluding step is not provided, i.e. if the templates match or do not match, what happens.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Romney et al. (US 6,085,322).

With respect to claim 2, Romney et al. teaches a secure interface for cryptographic recording of the sealer device keys (**The client may, for example, generate such a public-private key pair using cryptographic software, such as for example ViaCrypt PGP (TM) from ViaCrypt, running on client computer 110, col. 6, lines 60-66**); a secure interface for signatures validation of the sealer device (**At block 240, authenticator 130 inspects identification documents provided by client 100 to verify the client's identity, col. 7, lines 38-40**); and an area of the sealer device containing the encrypted keys (**At block 230, client 100 conveys the transportable media on which the electronic document and the public and private keys have been stored to authenticator 130, col. 7, line28-30**).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Romney et al. (US 6,085,322) in view of Merjanian (US 6,028,950).

With respect to claim 1, Romney et al. teaches a digital signature generator (**digital signature 921, fig 9b**); communication interface (**network interface 1140, fig. 11**); RISC processor (**CPU1100, fig. 11**); RAM memory (**RAM 1105, fig. 11**); non-volatile memory (**fig. 1**); noise generator; digital display (**display device, 1110, fig. 11**); multifunctional keyboard (**fig. 1**). However it doesn't teach finger print reader and smart card reader but Merjanian teaches, a fingerprint reader (**includes a fingerprint reader, abstract**); smart card reader (**The POPT 400 further has a card reader 404 so that the credit, debit, or smart card, may be swiped, par. 29**). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine teachings of Romney et al. with teachings of Merjanian to more protect digital signature of documents.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Romney et al. (US 6,085,322) in view of Merjanian (US 6,028,950) as applied to claim 1 above, and further in view of Russo (US 6,681,034).

With respect to claim 3, Romney et al. teaches public and private key generation in the digital sealer apparatus (**generates a public-private key pair using cryptographic hardware and/or software, col. 4, lines 46-48**). However, Romney et al. doesn't teach fingerprint enrollment, but Merjanian teaches a user's data capture (**The image sensor captures the measured light so that the captured fingerprint data can be stored, col. 1, lines 51-53**); collection of fingerprint in the digital sealer

apparatus (**The stored fingerprint data can be stored within the set-top box, a remote server, a central station, or on a card, see abstract**); generation of a password in the digital sealer apparatus (**generate, for example, a personal identification number (PIN) that may then be passed to a processor, col. 11, lines 27-29**); recording of the password in the smart card (**The stored data may be on a credit card, a smart card, col. 5, lines 53-54**); However the above mentioned references (Romney et al. and Merjanian) do not teach template generation but Russo teaches generation of template (**a reference fingerprint template and a measured fingerprint template are generated, col. 2, lines 53-55**) in the digital sealer apparatus; recording of the template in the smart card (**sensitive information such as a reference fingerprint template to be stored on the smart card, col. 2, lines 2-3**); and recording of public and private key in the smart card. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine teachings of Romney et al. and Merjanian with teachings of Russo because such a combination would be advantageous towards securing the authenticity of the user's fingerprint which is one of user's identities.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Romney et al. (US 6,085,322) in view of Russo (US 6,681,034).

With respect to claim 4, Romney et al. teaches that it transmit microcomputer's document to a sealer device (**see abstract**); collection of user's fingerprint (**in one embodiment of the invention, the authenticator identification envelope includes digitally recorded biometric data obtained from the client, see abstract**);

generation of the digital signature (**digital signature 921, fig 9b**); and transmission of the signed document to the microcomputer (**see abstract**). However, it doesn't teach generation of template and readout of the template from smart card but Russo teaches that it generates template (**a reference fingerprint template and a measured fingerprint template are generated, col. 2, lines 53-55**); readout of opening password of the smart card; readout of the template from a smart card (**the reference fingerprint template is stored in a static memory in a smart card and the fingerprint template matching algorithm is executed in a microprocessor in the smart card, col. 4, lines 59-62**); comparison of these two templates (**A reference template is compared to a measured template on a chunk-by-chunk basis, see abstract**). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine teachings of Romney et al. with teachings of Russo to protect digital signature of the documents which is transmitted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHAHROUZ YOUSEFI whose telephone number is (571)270-3558. The examiner can normally be reached on 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Robertson can be reached on (571)272-4186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. Y./
Shahrouz Yousefi
01/09/2008

/David L Robertson/
Supervisory Patent Examiner, Art
Unit 4113